

From: Doug Burks
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

To Whom it May Concern;

The Proposed Final Judgment in the Microsoft settlement has many flaws. The three most glaring of these flaws are:

(excerpted from Dan Kegel's letter at <http://www.kegel.com/remedy/letter.html>)

- 1) "Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry."
- 2) "The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered."
- 3) "The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system."

It would be greatly appreciated if these three points, as well as the other points made by Mr. Kegel at <http://www.kegel.com/remedy/letter.html> are taken into further consideration.

Thanks,
Doug Burks
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